

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-20290-CR-BLOOM

UNITED STATES OF AMERICA

v.

ERIC DEAN SHEPPARD,

Defendant.

PRELIMINARY ORDER OF FORFEITURE

THIS MATTER is before the Court upon motion of the United States of America (the “United States”) for entry of a Preliminary Order of Forfeiture (“Motion”) against Defendant Eric Dean Sheppard (the “Defendant”). The Court has considered the Motion, is otherwise advised in the premises, and finds as follows:

On August 23, 2023, a federal grand jury returned a Superseding Indictment charging the Defendant in Counts 1–9 with wire fraud in violation of 18 U.S.C. § 1343, among other counts. *See* Superseding Indictment, ECF No. 60. The Superseding Indictment also contained forfeiture allegations, which alleged that upon conviction of a violation of 18 U.S.C. § 1343, the Defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to 18 U.S.C. § 981(a)(1)(C). *See id.* at 9–10. The forfeiture allegations also stated the Government’s intent to seek a forfeiture money judgment of at least approximately \$893,145, the sum of which represents the total amount funds constituting, or derived from, proceeds traceable to the alleged offenses and fraud scheme. *See id.* at 9.

On January 12, 2024, after a trial, a jury returned a verdict finding the Defendant guilty of on Counts 5, 7, 8, 9, 13, and 14. *See* Trial Minute Entries, ECF Nos. 143, 145–46, 149, 154, 156–61, 163–64, 175–76, 179, 180, & 185; Jury Verdict, ECF No. 190. Specifically, the jury found the

Defendant guilty of executing a wire fraud scheme—spanning from April 2020 through March 2021—to fraudulently obtain Paycheck Protection Program loans from private lenders. *See* Jury Verdict, ECF No. 190; Superseding Indictment 4–7. The jury also found the Defendant guilty of Aggravated Identity Theft in Counts 13 and 14.

On June 3, 2024, the Court, upon Defendant’s motion, acquitted the Defendant of Counts 13 and 14. *See* Omnibus Order on Def.’s Mot. for New Trial & Mot. for Acquittal 25, ECF No. 251.

On June 3, 2024, the United States filed a Motion for Preliminary Order of Forfeiture seeking a forfeiture money judgment in the amount of \$893,575 against the Defendant, and on June 5, 2024, filed an amended motion for preliminary order of forfeiture.¹ *See* Gov’t Mot. for Preliminary Order of Forfeiture, ECF No. 252; Gov’t Amended Mot. for Preliminary Order of Forfeiture, ECF No. 255.

On June 5, 2024, the Defendant filed a motion to continue the sentencing hearing or, in the alternative, continue the restitution and forfeiture aspects of sentencing. *See* Def.’s Mot. to Continue, ECF No. 257. The Court granted the Defendant’s motion to continue the restitution and forfeiture aspects of sentencing, but denied continuing the sentencing hearing scheduled for June 7, 2024. *See* Paperless Order, ECF 259. The Court scheduled the hearing on the Government’s Amended Motion for Preliminary Order of Forfeiture for August 23, 2024. *See* Paperless Order, ECF No. 263.

On June 7, 2024, the Court sentenced the Defendant. At the sentencing hearing, the Court imposed a general order of forfeiture of property against the Defendant, pursuant to 18 U.S.C. § 981(a)(1)(C).

¹The amended motion notified the Court that a reference to 18 U.S.C. § 982(a)(2)(A) was mistakenly left off the Indictment and Superseding Indictment.

Accordingly, based on the foregoing, the evidence in the record, and for good cause shown, the Motion is **GRANTED**, and it is hereby **ORDERED** that:

1. Pursuant 18 U.S.C. §§ 981(a)(1)(C), 21 U.S.C. § 853 and Rule 32.2 of the Federal Rules of Criminal Procedure, a forfeiture money judgment equal in value to all property constituting or derived from proceeds traceable to the offenses of conviction is hereby entered against the Defendant.

2. Pursuant to Rules 32.2(b)(2)(C) and (e)(1) of the Federal Rules of Criminal Procedure, this Order shall be amended when the Court is prepared to establish the amount of a forfeiture money judgment.

3. The United States is authorized to conduct any discovery that might be necessary to identify, locate, or dispose of forfeited property, and to resolve any third-party petition, pursuant to Rule 32.2(b)(3), (c)(1)(B) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(m).

4. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order is final as to the Defendant.

5. The Court shall retain jurisdiction in this matter for the purpose of enforcing this Order, and pursuant to Rule 32.2(e)(1) of the Federal Rules of Criminal Procedure, shall amend this Order, or enter other orders as necessary, to forfeit additional specific property when identified.

DONE AND ORDERED in Miami, Florida, this _____ day of June 2024.

BETH BLOOM
UNITED STATES DISTRICT JUDGE